

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

STEVEN J. CORBETT,

Plaintiff,

v.

7:08-CV-1248

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

THOMAS J. McAVOY
Senior United States District Judge

DECISION and ORDER

This matter brought pursuant to 42 U.S.C. § 405(g) was referred to the Hon. David E. Peebles, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

Plaintiff has filed objections to the December 7, 2009 Report-Recommendation. When objections to a magistrate judge's Report-Recommendation are lodged, the Court makes a "de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." See 28 U.S.C. § 636(b)(1). After such a review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions." Id.

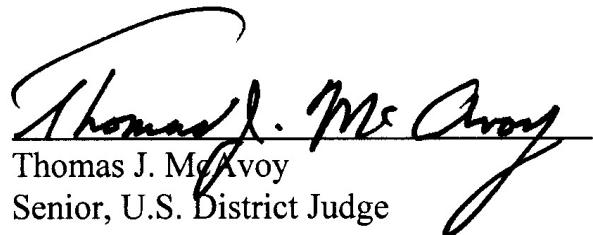
Having reviewed the record de novo and having considered the issues raised in the Petitioner's objections, this Court has determined to accept and adopt the

recommendation of Magistrate Judge Peebles for the reasons stated in the Report-Recommendation.

It is therefore, ORDERED that Defendant's motion for judgment on the pleadings is GRANTED, the Commissioner's determination of no disability is AFFIRMED, and the Complaint is DISMISSED in its entirety.

IT IS SO ORDERED.

Dated: December 30, 2009



Thomas J. McAvoy
Senior, U.S. District Judge